

Translation

PATENT COOPERATION TREATY

# PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference coh 1/PCT	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/CH00/00265	International filing date ( <i>day/month/year</i> ) 12 May 2000 (12.05.00)	Priority date ( <i>day/month/year</i> ) 15 May 1999 (15.05.99)
International Patent Classification (IPC) or national classification and IPC A61C 15/04		
Applicant CORTEX HÜMBELIN AG		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 4 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 20 November 2000 (20.11.00)	Date of completion of this report 10 August 2001 (10.08.2001)
Name and mailing address of the IPEA/EP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/CH00/00265

## I. Basis of the report

1. This report has been drawn on the basis of *(Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to the report since they do not contain amendments.)*:

- ☒ the international application as originally filed.
- ☒ the description, pages 1-11, as originally filed,  
 pages \_\_\_\_\_, filed with the demand,  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_.
- ☒ the claims, Nos. \_\_\_\_\_, as originally filed,  
 Nos. \_\_\_\_\_, as amended under Article 19,  
 Nos. \_\_\_\_\_, filed with the demand,  
 Nos. 2-9, filed with the letter of 25 September 2000 (25.09.2000),  
 Nos. 1, filed with the letter of 22 June 2001 (22.06.2001).
- ☒ the drawings, sheets/fig 1/2, 2/2, as originally filed,  
 sheets/fig \_\_\_\_\_, filed with the demand,  
 sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_,  
 sheets/fig \_\_\_\_\_, filed with the letter of \_\_\_\_\_.

2. The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☐ the claims, Nos. \_\_\_\_\_
- ☐ the drawings, sheets/fig \_\_\_\_\_

3. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

4. Additional observations, if necessary:

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.  
PCT/CH 00/00265**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**

## 1. Statement

Novelty (N)	Claims	1-9	YES
	Claims		NO
Inventive step (IS)	Claims	1-9	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-9	YES
	Claims		NO

## 2. Citations and explanations

This report makes reference to the following documents:

D1: US-A-4 974 615 (DOUNDOULAKIS GEORGE J) 4 December 1990  
D2: US-A-5 842 489 (DAS DORES ESDRAS DEL SOLI ET AL) 1 December 1998  
D3: US-A-4 523 600 (DONOVAN MARION) 18 June 1985  
D4: US-A-5 560 377 (DONOVAN MARION) 1 October 1996  
D5: EP-A-0 808 610 (ANCHOR ADVANCED PRODUCTS INC) 26 November 1997.

1. D2 discloses continuously manufactured dental floss consisting of mono- or multifilament threads which are highly elastic and reduce their cross-sectional area when subjected to tensile forces, from which the subject matter of independent Claim 1 differs in that the threads of highly elastic material are formed, by means of technical textile processing selected from amongst braiding, weaving and knitting, into a shaped body that has an abrasive surface and in that the threads are bound together in such a way that the threads can be cut without then unraveling.

According to D2, an abrasive surface is not created by means of technical textile processing selected from amongst braiding, weaving and knitting, but by means of texturing methods such as spinning, drawing or crimping and the threads are prevented from unraveling by a polymer coating.

The subject matter of independent Claim 1 is therefore novel (PCT Article 33(2)).

2. Dependent Claims 2 to 9, to the extent that they are dependent on Claim 1, relate to further developments of the invention according to independent Claim 1 and therefore also meet the requirements of PCT Article 33(2) and (3).

**VII. Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

1. Contrary to PCT Rule 5.1(a)(ii), the description does not cite D2 or indicate the relevant prior art disclosed therein.
2. According to PCT Rule 11.8, it is strongly recommended to number every fifth line of each sheet of the description. The numbers should appear in the right half of the left margin.